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WASHINGTON, DC 20231
www.uspto.gov

Douglas S. Johnson
Suite 301
133 Richmond Street West
Toronto, ON M5H 2L7
CANADA

AIR MAIL

MAILED

JUL 29 2003

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600

In re application of :
Vic De Zen :
Application No. 09/735,498 :
Filed: December 14, 2000 :
For: MOLDED FRAME CONSTRUCTION :

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in response to applicant's petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office (USPTO) on May 29, 2003.

The petition is **DISMISSED as moot**.

A review of the application file reveals that an Office action was mailed on September 17, 2002 wherein a three-month shortened statutory period for reply was set. Since no response had been matched with the file and the six-month statutory period for response had expired, the application was held to be abandoned and a notice to that effect was mailed on April 9, 2003.

A further review reveals that the original amendment of December 17, 2002 has since been matched with the file. That original amendment is timely. Since a timely response to the Office action of September 17, 2002 has been filed, the abandonment will be withdrawn. Since the original of the amendment in question is now in the file, there is no need to treat the petition on the merits and it is therefore dismissed as moot.

This application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment, return the application to pending status and enter the original amendment filed December 17, 2002 before forwarding to the examiner for treatment on the merits.

Steven N. Meyers, Special Program Examiner
Patent Technology Center 3600
Telephone No.: (703) 308-3868
Facsimile No.: (703) 605-0586

SNM/tpl: 7/21/03